

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CR2012-159163-001 DT

09/26/2014

COMMISSIONER J. JUSTIN MCGUIRE

CLERK OF THE COURT  
C. Williamson  
Deputy

STATE OF ARIZONA

FRANKIE JONES

v.

NATHANIEL KAYE (001)  
DOB: 08/25/1982

JANIS R WILLIAMS

APO-SENTENCINGS-CCC  
APPEALS-CCC  
DISPOSITION CLERK-CSC  
RFR

DISPOSITION HEARING - PROBATION REINSTATED WITH REVOCATION  
ARRAIGNMENT/VIOLATION HEARING

11:27 a.m.

Courtroom #3 CCB LL

State's Attorney:	H. Bernick
Defendant's Attorney:	J. Williams
Defendant:	Present

A record of the proceedings is made by audio and/or videotape in lieu of a court reporter.

Defendant was present for the group advisement given on the record at 10:28 a.m. this date in Courtroom 3.

Upon Court's own motion,

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IT IS ORDERED dismissing count 1 without prejudice.

As to Count 2:

The Defendant admits violation of probation for condition 11.

The admission is accepted and entered of record.

The Defendant is advised of the right to disposition hearing within the statutory time limits and the right to a written probation violation report.

Disposition proceeds at this time.

The Court finds Defendant has violated the conditions of probation previously imposed.

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), continuing the defendant on probation:

Count 2: With a revised expiration date of 08/26/2015.

Length of Probation: 2 years

Conditions of probation include the following:

Condition 6: Report to the APD within 72 hours of sentencing, absolute discharge from prison, release from incarceration, or residential treatment and continue to report as directed. Keep APD advised of progress toward case plan goals and comply with any written directive of the APD to enforce compliance with the conditions of probation. Provide DNA testing if required by law.

Condition 8 - Request and obtain written permission of the APD prior to leaving the State.

Condition 15: Restitution, Fines and Fees:

PROBATION SERVICE FEE: Count 2 - \$65.00 per month.

DELINQUENT PROBATION SERVICE FEES: Count 2 - \$100.00 payable \$5.00 per month.

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FINE: Count 2 - Total amount of \$457.50, which includes surcharges of 83%, payable \$10.00 per month.

DUI Abatement Fund: Count 2 - \$250.00, payable \$10.00 per month.

DUI INCARCERATION COST: Count 2 - \$500.00, payable \$10.00 per month.

PRISON CONSTRUCTION & OPERATIONS FUND: Count 2 - \$500.00 payable \$10.00 per month.

Public Safety Equipment Fund: Count 2 - \$500.00 payable \$10.00 per month.

PROBATION SURCHARGE: Count 2 - \$20.00.

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

WARRANT CHARGE: Count 2 - \$45.00 payable \$tbd per month.

PENALTY ASSESSMENT - A.R.S. § 12-116.04: Count 2 - \$13.00.  
Investigative Agency: Phoenix Police Department

Payment to commence 60 days after release and is due on the same day of each month thereafter until paid in full.

All amounts payable through the Clerk of the Superior Court.

Condition 16 - Not consume or possess any substances containing alcohol.

Condition 22: Other - Alcohol counseling. MADD Victim Impact Panel

IT IS FURTHER ORDERED Defendant be given credit for any monies paid to date.

IT IS FURTHER ORDERED that Defendant shall submit to fingerprint identification processing by the Maricopa County Sheriff's Office if directed to do so by the Adult Probation Department. The Adult Probation Department shall direct any Defendant placed on probation who has not already had a State Identification Number (SID) established to submit to fingerprint processing.

Defendant is reminded that failure to maintain contact with the Probation Department as required by your Probation Officer may result in the following orders being issued against you:

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1. A criminal restitution order in favor of the state for the unpaid balance, if any, of any fines, costs, incarceration costs, fees, surcharges or assessments imposed.

2. A criminal restitution order in favor of each person entitled to restitution for the unpaid balance of any restitution ordered.

IT IS ORDERED granting the Motion To Dismiss the allegations of violation of the remaining term(s) as set forth in the Petition To Revoke.

IT IS FURTHER ORDERED Defendant be released from custody for this case only.

The written terms and conditions of probation are handed to the Defendant for explanation and signature. The Defendant is advised of the consequences of failure to abide the terms of probation.

A written probation violation report has not been prepared.

11:33 a.m. Matter concludes.

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ COMMISSIONER J. JUSTIN MCGUIRE  
JUDICIAL OFFICER OF THE SUPERIOR COURT

(right index fingerprint)